

**Iowa Department of Natural Resources
Natural Resource Commission**

ITEM

11

DECISION

TOPIC

Notice of Intended Action--Chapter 108, Furbearer Seasons

The Commission is requested to approve this Notice to amend Chapter 108, Furbearer seasons. These amendments allows a limited number of bobcats to be taken in the southern part of Iowa, closes the beaver trapping season on April 1 instead of April 15 and makes the grace period for both the otter and bobcat seasons the same at 48 hours.

Presenter	Ken Herring
Presenter Title	Administrator
Presenter Division	Conservation and Recreation

Attachment

April 12, 2007

NATURAL RESOURCE COMMISSION [571]
Notice of Intended Action

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 108, Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red And Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf And Spotted Skunk Seasons, Iowa Administrative Code.

These amendments allows a limited number of bobcats to be taken in the southern part of Iowa, closes the beaver trapping season on April 1 instead of April 15 and makes the grace and tagging period for both the otter and bobcat seasons the same at 48 hours.

Any interested person may make written suggestions or comments on the proposed amendments on or before May 17, 2007. Written comments may be directed to the Wildlife Bureau's website at www.iowadnr.com or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515) 281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515) 281-6156 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building.

There will be a formal public hearing on May 16th on the 4th floor of the Wallace Building. Interested persons should contact the Department at (515) 281-5918 for a list of hearing locations or go to the Department's website at www.iowadnr.com. At the hearings, persons may present their views either orally or in writing. At the hearings, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any persons who intend to attend the public hearing and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and advise of specific needs.

These amendments are intended to implement Iowa Code sections 481A.6 , 481A.38 , 481A.39 , 481A.87 , and 481A.90.

The following amendments are proposed.

ITEM 1. Amend rule 571--108.4(481A), as follows:

571-108.4(481A) Beaver. Open season for the taking of beaver shall be from 8 a.m. on the first Saturday in November through April ~~15~~ 1 of succeeding year. No bag or possession limit.

ITEM 2. Amend rule 571--108.6(481A), as follows:

571-108.6(481A) ~~Bobcat, g~~Gray (timber) wolf, and spotted skunk. Continuous closed season.

ITEM 3. Amend rule 571--108.7(481A):

571--108.7(481A) River otter and bobcat trapping.

108.7(1) License requirements. Each person who ~~traps~~ takes river otters or bobcats shall have a valid fur harvester license and pay the habitat fee if normally required to have a license to hunt or trap.

108.7(2) ~~Areas open to trapping. Trapping for river otters is open~~ River otters may be taken statewide. Bobcats may be taken in the following counties: Adams, Appanoose, Clarke, Davis, Decatur, Des Moines, Fremont, Henry, Jefferson, Lee, Lucas, Mills, Monroe, Montgomery, Page, Ringgold, Taylor, Union, Van Buren, Wapello, and Wayne.

108.7(3) Quotas and Seasonal bag limit.

- a. Seasonal bag limits. The seasonal bag limit is 2 river otters and 1 bobcat per trapper person.
- b. Quotas. The quota for the number of river otters that may be taken is 400 statewide. The quota for the number of bobcats taken is 150 in the open area. The season shall end for river otters when the number of river otters trapped, as determined by the harvest reporting system, reaches 400. The season shall end for bobcats when the number of bobcats taken, as determined by the harvest reporting system, reaches 150. Trappers shall be allowed a ~~72~~ 48 hour grace period after the quota is reached to clear their traps of river otters or bobcats. River otters or bobcats found in traps during the grace period may be kept even though the quota is exceeded, as long as the trapper has not reached his or her personal bag limit. River otters or bobcats trapped after the grace period or in excess of the seasonal bag limit must be turned over to the department; the trapper will not be penalized.

108.7(4) Season dates. The season for taking trapping river otters and bobcats opens on the first Saturday in November ~~same date as the trapping seasons described in 571--108.1(481A)~~ and closes when the quota has been reached, as explained in this rule, or January 31 of the following year, whichever occurs first.

108.7(5) Reporting requirements.

a. Anyone. ~~A trapper,~~ including a landowner or tenant not required to have a furharvester license, who takes traps a river otter or bobcat must report the harvest to a DNR conservation officer or designated DNR employee within 24 hours. The ~~trapper~~ furharvester must arrange to receive a CITES tag ~~or Iowa River Otter Harvest Tag~~ from the officer or DNR employee within ~~72~~ 48 hours of the time the harvest is reported or before the river otter or bobcat is skinned, whichever first occurs.

b. ~~Conservation officer reporting.~~ Upon receiving a telephone report ~~from a trapper~~ that a river otter or bobcat has been legally taken, the conservation officers or DNR employee will call the department's harvest reporting system. The number of river otters and bobcats taken will be updated daily, and a message recorded on the department's telephone system. The number taken will be available 24 hours a day. ~~Trappers~~ Furharvesters may check the message daily to determine when the season closes and the grace period begins and ends. The department will use all practical means to publicize these dates.

108.7(6) Tagging requirements. Every river otter or bobcat that may legally be kept ~~by a trapper~~ must have a CITES ~~or Iowa River Otter Harvest Tag~~ attached. Tags will be supplied by the conservation officer or designated DNR employee. The tag must remain with the pelt until the pelt is sold or used for other purposes that renders it no longer available for sale. Persons displaying river otters as taxidermy mounts or other decorative items must keep the tag in their possession as proof of legal harvest.

ITEM 4. Amend rule 571--108.8(481A):

571—108.8(481A) Accidental capture of a river otter or bobcat during a closed season. A person who accidentally captures a river otter or bobcat during a closed season or in a closed area or after the person's individual bag limit has been reached shall not be penalized provided that:

1. The river otter or bobcat is captured during a legal trapping season or as part of a legal depredation control process; and
2. A conservation officer is contacted within 24 hours and the river otter or bobcat and all parts thereof are turned over to a conservation officer as soon as practical.

Date

Richard A. Leopold, Director